

MEDICAL ASSISTANCE PROGRAM

STATE OF Kentucky

FLOW CHART - HANDLING CIVIL RIGHTS COMPLAINTS

Description and analysis, Flow Chart: Methods of Handling Complaints of Discrimination due to Race, Color, or National Origin.

1. The Bureau for Social Insurance worker receives the complaint and resolves it informally if possible. Based on a preliminary determination of facts, the client is advised as to the most appropriate appeal procedure. The Complaint Form, PA-664, is completed in all appropriate instances by the client (with the assistance of the worker) and is forwarded to the BSI Area Manager for corrective action.
2. The Area Manager conducts a preliminary or limited investigation to establish the basic facts of the situation. If discrimination is established, the Area Manager will attempt to informally persuade the person or facility practicing discrimination to amend the practice in question. The client will be notified of the disposition of the complaint, and the complaint and a copy of the resolution statement to the client will then be forwarded to the Coordinator, Civil Rights, Department for Human Resources. When the Area Manager is unable to resolve the complaint, the evidentiary data secured will be forwarded to the Coordinator for his further use. The Area Manager will maintain a Civil Rights Complaint File. The client may request further action by the Coordinator, Civil Rights, if not satisfied with the Area Manager's complaint resolution.
3. The Coordinator, Civil Rights, Department for Human Resources, will acknowledge receipt of any unresolved complaint and conduct/direct an immediate investigation to fully establish the facts and circumstances alleged in the complaint. If discriminatory practices are found, the Coordinator will seek to secure voluntary compliance through informal persuasion, and will notify the client of the resolution. Should a discriminatory practice not be voluntarily ended, a statement of findings would be forwarded to the Director, Division for Medical Assistance, for corrective action. A resolution by the Coordinator not satisfactory to the client would result in the complaint being forwarded to the Kentucky Commission on Human Rights for further action.
4. When a statement of findings is forwarded to the Director, Division for Medical Assistance, for corrective action the Director will afford the vendor the opportunity to voluntarily comply, prior to removal of the vendor from participatory status. When the complaint is referred to the Commission on Human Rights (HRC) for resolution, the HRS establishes legitimacy and validity of the complaint, conducts any necessary investigations and holds a hearing as appropriate, and attempts informal persuasion to secure voluntary compliance. A report of compliance or hearing report is issued.
5. When the report of HRC is reviewed by the Director, Division for Medical Assistance, the Director ensures that required corrective action is taken. When voluntary compliance by a vendor cannot be secured, removal of the vendor from participatory status will be accomplished.

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Department for Human Resources, Bureau for Social Insurance Flow Chart depicting the handling of complaints of discrimination due to race, color or country of national origin.

